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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,878	03/22/2004	Bernhard Weisshaar	TC00040 D01	1781

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EXAMINER

DONAGHUE, LARRY D

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/805,878	Applicant(s) WEISSHAAR ET AL.	
	Examiner Larry D. Donaghue	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-20 and 27-31 is/are rejected.
- 7) ☒ Claim(s) 21-26 and 32-37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>03/22/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 16-37 are presented for examination.
2. Claims 21-26 and 32-37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 16-17 and 27-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Pepe et al., U.S. Patent No. 5,673,322.

Regarding claim 16, the preamble will be given patentable weight since the claim body refers back to the preamble. See "the remote service" at line 5. Pepe anticipates the claimed invention by disclosing a communications platform (Fig. 2 elem. 52) comprising a service-requesting entity (Fig. 2 elem. 54) and an wireless interface (Fig. 2 elem. 58 and 59) with which a remote communications node (Fig. 5 elem. 68 external web server) can be coupled to the communications platform, the remote communications node comprising a remote service (web service), the method comprising: The service-requesting entity requesting the remote service (Fig. 5 web browser begins standard web query); Representing the remote service on the communication platform only by a proxy (Fig. 5 elem. 56 showing local proxy through which all WWW queries are routed; col. 7 line 66 to col. 8 line 1). Note a processor and memory are inherent in the User terminal as disclosed by Pepe et al.

Regarding claim 17, Pepe teaches a method wherein the proxy comprises a remote service frontend (Fig. 5 elem. 56).

Claims 27 and 28 are rejected for substantially the same reasons as claims 16-17.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 16-18 and 27-29 rejected under 35 U.S.C. 103(a) as being unpatentable over Piller, U.S. Patent No. 6,622,175, in view of Hightower et al.

Regarding claims 16 and 27, the preamble will be given patentable weight since the claim body refers back to the preamble. See "the remote service" at line 5. Piller anticipates the claimed invention by disclosing a communications platform (Fig. 7 elem. 14) comprising a service-requesting entity (Fig. 7 elem. 104) and an interface (col. 10 lines 40-47 where client inherently has a network interface) with which a remote communications node (Fig. 7 elem. 106) can be coupled to the communications platform, the remote communications node comprising a remote service (col. 5 lines 2425 methods of remote object as remote service), the method comprising: The service-requesting entity requesting the remote service (col. 12 lines 20-43); Representing the remote service on the

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communication platform only by a proxy (col. 12 lines 20-43). Note a processor and memory are inherent in the Client as disclosed by Piller et al. et al. Piller et al. did not expressly disclose a wireless interface, Hightower et al. taught the use of mobile computing device (wireless).

Regarding claims 17 and 28, Piller teaches a method wherein the proxy comprises a remote service frontend (Fig. 7; col. 12 lines 20-4.3).

Regarding claim 18 and 29, Piller teaches the invention substantially as claimed. See the rejection of claim 2 above. Piller does not teach the additional limitation of claim 3. Hightower on the other hand teaches a distributed object system wherein connectivity between a local system and a remote object is intermittent. Hightower therefore teaches a connection manager service to indicate when the interface is active or not (col. 3 lines 55-67). Hightower also teaches a remote service comprising a remote service backend residing on the remote communications node (col. 3 lines 55-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Hightower's wrapper technology for supporting intermittent connections with the distributed object system of Piller because of Piller's teaching that it is desirable to support intermittent connectivity for mobile users (col. 2 line 66 to col. 3 line 13).

Claims 19-20 and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Piller, U.S. Patent No. 6,622,175, in view of Hightower et al., U.S. Patent No. 6,510,550, and further in view of Sun Microsystems, WO 99/44127.

Regarding claims 19 and 30, the combination of Piller in view of Hightower teaches the invention substantially as claimed. See the rejection of claim 3 above. The combination of Piller in view of Hightower does not teach a method further comprising the remote service frontend registering a notification request for the remote service backend in the remote service event notification registry. Sun Microsystems on the other hand teaches a distributed object system in which a lookup service accepts notification requests and then invokes callbacks to the process requesting the notification (Sun Microsystems p. 17 paragraph 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sun Microsystems's teaching regarding the use of registering notification requests with the method of the combination of Piller in view of Hightower because it would allow the client to be notified of events on the server (Sun Microsystems p. 17 paragraph 2).

Regarding claims 20-31, Hightower teaches a method further comprising the connection manager service indicating that the interface is active and notifying the remote service frontend that the remote service backend is on the communication node (col. 7 lines 1-17).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larry D. Donaghue whose telephone number is 571-272-3962. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


LARRY D. DONAGHUE
PRIMARY EXAMINER